

TEXAS STATE BOARD OF EXAMINERS OF MARRIAGE AND FAMILY THERAPISTS



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MINUTES

Friday, December 11, 2020

The Texas State Board of Examiners of Marriage and Family Therapists met via Zoom video conference on December 11, 2020. The following Board members were in attendance: Lisa Merchant, PhD, LMFT, Chair; Kenneth Bateman, EdD, LPC-S, LMFT-S; Russell F Bartee, PhD, LPC-S, LMFT-S; George Francis, IV, MBA; Evelyn Husband-Thompson; Anthony Scoma, DMin; and Jeanene L Smith, MA, LPC, LMFT-S. Also, in attendance were Darrel Spinks, BHEC Executive Director; Tim Speer, BHEC Director of Operations; Patrick Hyde, BHEC General Counsel; Brian Clark, TSBEMFT Attorney; and Sarah Faszholz, TSBEMFT Board Administrator.

1. The meeting was called to order at 8:32 a.m. by Chair Merchant.
2. The Board moved into Item 2: approval of October 16, 2020 minutes of the videoconference Board meeting. Mr. Francis made the motion to approve the minutes. Dr. Bateman seconded the motion. The minutes were approved unanimously.
3. The Board moved into Item 3: discussion and possible action to elect vice chair of the Texas State Board of Examiners of Marriage and Family Therapists. Mr. Francis made the motion to elect Anthony Scoma, DMin. Dr. Bateman seconded the motion. Rev. Dr. Scoma was elected unanimously.
4. The Board moved into Item 4: discussion and possible action to re-elect or replace the public member delegate to the Texas Behavioral Health Executive Council (Council). Rev. Dr. Scoma made the motion to re-elect George Francis, IV, MBA. Dr. Bateman seconded the motion. Mr. Francis was re-elected unanimously.
5. The Board moved into Item 5: discussion and possible action to re-elect or replace the professional member delegate to the Council. Dr. Bateman made the motion to elect Jeanene L Smith, MA, LPC, LMFT-S. Dr. Bartee seconded the motion. Ms. Smith was elected unanimously.
6. The Board moved into Item 6, discussion and possible action regarding rules:
 - A. Published in the October 23 *Texas Register* [45 TexReg 7515]
 - i. 22 Texas Administrative Code (22 TAC) §801.204 concerning *Licensing of Military Service Members, Military Veterans, and Military Spouses*. Mr. Francis made the motion to recommend to the Council adoption as proposed. Mrs. Husband-Thompson seconded the motion. The motion carried.
 - ii. 22 TAC §801.305 concerning *Schedule of Sanctions*. Ms. Faszholz reported the proposed rules were withdrawn on November 30, 2020 and corrected proposal was published in the December 11 *Texas Register* [45 TexReg 8830]. Ms. Faszholz proposed joint meeting with MFT Board and Council on January 12 to review public comment and make recommendation to the Council. The board directed Ms. Faszholz to proceed with arrangements for January 12 joint meeting.

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- B. Published in the October 2 *Texas Register* [45 TexReg 6956] 22 TAC §801.206 regarding *Licensing of Persons with Criminal Convictions*. Rev. Dr. Scoma made the motion to recommend to the Council adoption as proposed. Ms. Smith seconded the motion. The motion carried.
7. The Board moved into Item 7: committee reports. Dr. Merchant stated no committee reports to give at this time. Ms. Faszholz provided information concerning committee functions under Council operations. No action was taken.
8. The Board moved into Item 8: report from the Board Chair. Dr. Merchant gave the report.
9. The Board moved into Item 9: report from the Council delegates: Mr. Francis gave the report.
10. The Board moved into Item 10: report from the Board Administrator. Ms. Faszholz gave the report.
11. The Board moved into Item 11: future priorities and activities of the Board: No action was taken.
12. The Board moved into Item 12, public comment:
- A. Jodie Elder, PhD, LPC-S, LMFT-S, thanked the Board for carefully considering her public comment and ongoing efforts to engage stakeholders – Dr. Bateman’s and former Chair Smothermon’s presence at TCA conference in November was very much appreciated as well as Dr. Merchant’s and Director Spinks’ at TAMFT Town Hall; welcomed new board members; congratulated Dr. Merchant on first board meeting as chair; thanked Ms. Smith for taking on duty of professional member delegate to the Council; thanked Rev. Dr. Scoma for accepting vice chair position; thanked Mr. Francis for continuing to serve as public member delegate to the Council; noted recent challenges: lawsuit, review by Sunset Advisory Commission, and launching of the Council; suggested, if not already implemented, that jurisprudence exam include BHEC rules; applauded the Consolidated Rulebook on the BHEC website; appreciated application review timeline chart on the BHEC website and the Board’s focus on customer service; asked if Board will consider professional reviewer engagement like LPC Board; suggested permanent agenda item for report from BHEC delegates; thanked staff, especially during pandemic, for their dedication.
- C. Jason Martin, PhD, LPC-S, LMFT-S, Texas Association of Marriage and Family Therapy (TAMFT), thanked the Board for careful management of licensure in Texas, grateful for new board members; TAMFT appreciates the Board’s transparency and explained how public committee meetings facilitated stakeholder understanding of Board decisions and processes.
- D. James Herriot, member of the Government Liaison Committee of the Christian Counselors of Texas, thanked the Board for its diligence in carrying out its duties.
- E. Pamela Bermender, LMFT-S, representing the Christian Counselors of Texas’ Governmental Liaison and Continuing Education Committee, acknowledged significant challenges the Council, Board, and staff have faced transitioning to a new agency during a pandemic; appreciated the Board’s working to maintain integrity of the profession while balancing with public protection; thanked staff for diligent efforts to address backlog and enhance procedures; announced Christian Counselors of Texas conference is scheduled for February 18 – 20, 2021; and invited Board to provide session at future conference.
13. The Board moved into Item 13, announcements and comments: MFT Board has joint meeting with the Council on Tuesday, January 12, 2021 at 11:30 a.m., and MFT Board has meeting scheduled on Friday, January 22, 2021.
14. The meeting was adjourned at 10:23 a.m. by Chair Merchant.